

REMARKS

Claims 1-7 and 14-20 are all the claims pending in the application.

I. Claim Rejections under 35 U.S.C. § 103(a)

Claims 1-7 and 14-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lecrom (US 2005/0144646) in view of Tsurumi (US 6,714,262), and further in view of Dinwiddie (US 7,568,208). Applicants kindly request that the Examiner reconsider this rejection in view of the following comments.

Claim 1 recites the feature of “a second controller for: ... when it is detected by said device detector that said security device is not mounted in said receiver, (1) controlling said first tuner, said first demodulator, and said first controller, so as to change at least one of the demodulation mode for the broadcasting signal and the frequency of the broadcasting signal, ... [and] (3) when said synchronization judgment unit judges that said first demodulator is synchronized with the broadcasting signal, extracting the transmission information on the broadcasting channel from the broadcasting signal demodulated by said first demodulator, and storing the extracted transmission information in a data memory....”.

Applicants respectfully submit that the applied prior art references do not teach, suggest or otherwise render obvious the above-noted feature recited in claim 1.

With respect to the above-noted feature, Applicants note that in the Office Action, the Examiner has recognized that Lecrom and Tsurumi do not teach or suggest such a feature (see Office Action at page 5). The Examiner, however, has applied the Dinwiddie reference, and has taken the position that this reference cures the deficiencies of Lecrom and Tsurumi. Applicants

respectfully disagree with this position taken by the Examiner for at least the following reasons.

Regarding Dinwiddie, Applicants note that this reference discloses a television system that is capable of receiving and processing both terrestrial television signals (via terrestrial antenna 104) and satellite television signals (via satellite antenna 106) (see Fig. 1 and col. 2, lines 30-36). In this regard, as disclosed in Dinwiddie, each of a satellite receiver 110 and a terrestrial television receiver 108 utilize separate passwords or “password sets” (see Fig. 1 and col. 3, lines 3-4).

With respect to the passwords, Dinwiddie explains that the terrestrial passwords are used whenever a satellite smart card is not inserted into the smart card system 100 (see col. 3, lines 28-29), and that the satellite receiver portion of the system 100 operates only after the smart card is inserted into the smart card interface 120 of the smart card system 100 (see col. 3, lines 38-40).

In this regard, as explained in Dinwiddie with reference to Fig. 3, if the correct smart card is inserted into the smart card interface, then the routine 300 uses the satellite receiver passwords for both satellite and terrestrial television programming access (see col. 4, lines 19-22). On the other hand, as disclosed in Dinwiddie, if the smart card is not inserted into the smart card interface, or an inactive card is inserted, then the routine 300 uses the terrestrial receiver passwords in a conventional manner to provide only terrestrial programming to a viewer (see col. 4, lines 22-26).

Based on the foregoing description, Applicants note that in Dinwiddie, if it is detected that a correct smart card has been mounted, then the satellite receiver passwords are used to access both satellite and terrestrial television programming, and if it is detected that a smart card

has not been mounted, then the terrestrial receiver passwords are used to access only the terrestrial programming. In other words, in Dinwiddie, the determination as to whether or not a correct smart card has been mounted determines whether the user will have access to both satellite and terrestrial programming, or to only terrestrial programming.

In the Office Action, Applicants note that the Examiner has stated that Dinwiddie teaches that when “it is detected by the device detector that said security device is not mounted in said receiver, controlling the system to receive the streams based on other criteria (checking if security device is mounted and determining reception mode based on result...)” (see Office Action at pages 5-6).

Regarding the above-noted statement made by the Examiner, Applicants note that while Dinwiddie is able to control the programming that a viewer will have access to based on the determination as to whether or not the smart card is mounted (i.e., if the smart card is not mounted, the viewer will have access to only the terrestrial programming), Applicants respectfully submit that the mere ability to limit the type of television programming access to a particular type of programming upon a determination that a smart card is not mounted does not in any way correspond to the above-noted feature recited in claim 1 which indicates that “when it is detected by said device detector that said security device is not mounted in said receiver, (1) controlling said first tuner, said first demodulator, and said first controller, so as to change at least one of the demodulation mode for the broadcasting signal and the frequency of the broadcasting signal, … [and] (3) when said synchronization judgment unit judges that said first demodulator is synchronized with the broadcasting signal, extracting the transmission

information on the broadcasting channel from the broadcasting signal demodulated by said first demodulator, and storing the extracted transmission information in a data memory....”.

In view of the foregoing, Applicants respectfully submit that claim 1 is patentable over the cited prior art, an indication of which is kindly requested.

If the Examiner disagrees with Applicants comments above, and believes that the ability in Dinwiddie to limit television programming access to only terrestrial programming corresponds to the above-noted features recited in claim 1 directed to changing at least one of the demodulation mode for the broadcasting signal and the frequency of the broadcasting signal, and when the synchronization judgment unit judges that said first demodulator is synchronized with the broadcasting signal, extracting the transmission information on the broadcasting channel from the broadcasting signal demodulated by said first demodulator, and storing the extracted transmission information in a data memory, Applicants kindly request that the Examiner provide a detailed explanation in this regard so that Applicants are able to make an informed decision with regard to appeal.

Regarding claims 2-7, Applicants note that these claims depend from claim 1 and are therefore considered patentable at least by virtue of their dependency.

Regarding claim 14, Applicants note that this claim recites the feature of “a second controller for: ... when it is detected by said device detector that the security device is not mounted in said receiver, (1) controlling said first tuner, said first demodulator, and said first controller, so as to change at least one of the demodulation mode for the broadcasting signal and the frequency of the broadcasting signal,... [and] (3) when said synchronization judgment unit

judges that said first demodulator is synchronized with the broadcasting signal, extracting the transmission information on the broadcasting channel from the broadcasting signal demodulated by said first demodulator, and storing the extracted transmission information in a data memory...”.

For at least the same reasons as discussed above with respect to claim 1, Applicants respectfully submit that the cited prior art references do not disclose, suggest or otherwise render obvious the above-noted feature recited in claim 14. Accordingly, Applicants submit that claim 14 is patentable over the cited prior art, an indication of which is kindly requested. Claims 15-20 depend from claim 14 and are therefore considered patentable at least by virtue of their dependency.

II. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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